

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Pierre Kalombo,

Civ. No. 24-1980 (PAM/LIB)

Plaintiff,

v.

ORDER

Matthew, Warden at Kandiyohi
County Jail, and
the Kandiyohi County Jail,

Defendants.

This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Leo I. Brisbois dated July 1, 2024. (Docket No. 5.) The R&R recommends dismissal of this matter without prejudice for lack of subject-matter jurisdiction. See Fed. R. Civ. P. 12(h)(3).

This Court must review de novo any portion of an R&R to which specific objections are made, but in the absence of objections, the Court reviews the R&R only for clear error. 28 U.S.C. § 636(b)(1); D. Minn. L.R. 72.2(b); see also Grinder v. Gammon, 73 F.3d 793, 795 (8th Cir. 1996) (noting that district court need only review un-objected-to R&R for clear error). The Court has reviewed the R&R and finds no error, clear or otherwise, in the Magistrate Judge’s reasoning.

Accordingly, **IT IS HEREBY ORDERED that:**

1. The R&R (Docket No. 5) is **ADOPTED**;
2. This matter is **DISMISSED without prejudice**; and

3. Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Docket No. 3) is **DENIED as moot**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 1, 2024

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge